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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,509	06/30/2003	Luis Azcona	60655.1300	8718

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EXAMINER

GODDARD, BRIAN D

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/611,509

Applicant(s)

AZCONA ET AL.

Examiner

Brian Goddard

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 04 April 2005.
2. Claims 6-15 are pending in this application. Claim 6 is the sole independent claim. In the Amendment filed 04 April 2005, claims 1-5 were cancelled and claims 6-15 were added. This action is made Final.

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not identify the city and either state or foreign country of residence of each inventor. Namely, the residence is missing for inventor Melinda Pollack. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 6 and 9-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,729,741 to Liaguno et al.

Referring to claim 6, Liaguno discloses a method for facilitating a search of a database for binary content corresponding to a text string as claimed. See Figures 1-6

and the corresponding portions of Liaguno's specification for this disclosure. Liaguno teaches "a method [See Figs. 2-3] for facilitating a search [See Abstract and all of Figs. 1-6] of a database [37 (See Fig. 1)] for binary content [audio and image files] corresponding to a text string [text search parameter(s)], said method comprising:

creating a record ['entry'] in a database [See Figs. 1-5];

storing said binary content [original file] within a first field [311] of said record [See Figs. 1-3];

converting said binary content into text content [See Abstract & Fig. 2];

storing said text content within a second field [301-307] of said record;

searching for said text string within said second field [See Column 3, lines 31-48 and Column 8, line 43 et seq.]; and

downloading, from said database, said binary content [See Summary & Column 8, line 50 et seq.] to a computer [e.g. View Station (14)] based on said searching step" as claimed.

Referring to claims 9 and 10, Liaguno teaches the method of claim 6, as above, wherein said converting step comprises:

determining a file format [e.g. text image, voice/speech (audio) or image] of said binary content; and

converting said binary content to said text content [See Fig. 2] based on said file format by applying an algorithm [See 203, 213 and 223] according to said file format as claimed.

Referring to claim 11, Liaguno teaches the method of claim 6, as above, wherein said searching step comprises:

receiving search criteria [See Column 3, lines 31-48 and Column 8, line 43 et seq.], wherein said search criteria comprises a text string [free text parameters / key words];

constructing a query [e.g. SQL or w/ Boolean logic (See Fig. 1 & Column 8, line 43 et seq.)) based on said search criteria;

executing said query...matching said search criteria... and retrieving said binary content...[See Fig. 1 & Column 8, line 43 et seq.] as claimed.

Referring to claim 12, Liaguno teaches the method of claim 11, as above, further comprising parsing said binary content according to said search criteria [See Figs. 5-6] as claimed.

Referring to claim 13, Liaguno teaches the method of claim 6, as above, wherein said searching step comprises searching for said text string via a browser application [on View Station 14 (See Column 7, line 13 et seq. and Column 8, line 43 et seq.)) as claimed.

Referring to claim 14, Liaguno teaches the method of claim 6, as above, wherein said downloading step comprises saving said binary content to a file [media image file in memory of network server (See Abstract, Summary and Column 8, line 43 et seq.)) and providing a hyperlink to said file [via interface on 13 or 14] as claimed.

Referring to claim 15, Liaguno teaches the method of claim 6, as above, wherein said downloading step comprises downloading said binary content to a computer [13 or 14] which is remote from said database [See Fig. 1] as claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liaguno in view of U.S. Patent No. 5,799,310 to Anderson et al.

Referring to claims 7 and 8, Liaguno does not explicitly store said binary content as a binary large object (BLOB) or said text content as a character large object (CLOB) as claimed. However, Anderson discloses a system and method similar to that of

Liaguno, wherein binary content is stored as a BLOB in one field of a database record, while corresponding text content is stored as a CLOB in another field of the database record [See Glossary of Terms, Background, Summary and Figs. 4-7 & corresponding portions of Anderson's specification] as claimed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Anderson's BLOB and CLOB storage capabilities to the system and method of Liaguno to obtain the invention as claimed. One would have been motivated to do so because of the storage and search advantages of using BLOBs and CLOBs with an SQL interface, as disclosed by Anderson.

7. Claims 6-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0268235 to Wason in view of Anderson.

Referring to claim 6, Wason discloses a method for facilitating a search of a database for binary content substantially as claimed. See Figures 1-10 and the corresponding portions of Wason's specification for this disclosure. Wason teaches a method [See Figs. 1-2] for facilitating a search [See ¶ 0074-0076] of a database [4] for binary content [Rich Text files, said method comprising:

creating a record [See Fig. 2A] in said database [See ¶ 0041];

storing said binary content [Rich Text file (e.g. stored as BLOB – See ¶ 0087)] within a first field [100] of said record;

converting [See ¶ 0041 & 0045] said binary content into text content [CLOB or Plain Text];

storing said text content within a second field [101 or 103] of said record;
searching said second field [See ¶ 0074-0076]; and
downloading, from said database, said binary content to a computer based on
said searching step [retrieval (See ¶ 0074-0076 & Figs. 9-11A)].

Wason does not explicitly state that the search corresponds to a text string, by searching for said text string within said second field as claimed. However, Anderson discloses a system and method similar to that of Wason, wherein a search for a text string [See Column 8, line 58 et seq.] is conducted on a second field [CLOB or full text string] of a database record to return a corresponding BLOB field as claimed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Anderson's text search capabilities to the system and method of Wason to obtain the invention as claimed. One would have been motivated to do so in order to fill Wason's silence on search implementation details with an efficient CLOB search mechanism such as that described by Anderson.

Referring to claims 7 and 8, the system and method of Wason in view of Anderson (hereinafter Wason/Anderson) teaches the method of claim 6, as above, wherein said binary content is stored as a binary large object (BLOB) and said text content is stored as a character large object (CLOB) as claimed. See ¶ 0041, 0045 & 0087 of Wason's specification, and the Glossary of Terms, Background, Summary and Figs. 4-7 & corresponding portions of Anderson's specification for the details of this disclosure.

Referring to claims 9 and 10, Wason/Anderson teaches the method of claim 6, as above, wherein said converting step comprises:

determining a file format of said binary content [Wason: See Abstract and ¶ 0041]; and converting said binary content to said text content based on said file format by applying an algorithm [e.g. Java method to access and convert] according to said file format [See ¶ 0041] as claimed.

Referring to claim 11, Wason/Anderson teaches the method of claim 6, as above, wherein said searching step comprises: receiving search criteria...constructing a query...executing said query...matching said search criteria...and retrieving said binary content...[Anderson: See Column 8, line 58 et seq.] as claimed.

Referring to claim 12, Wason/Anderson teaches the method of claim 11, as above, further comprising parsing said binary content [Wason: See Rich Text Node(s) in Figs. 4-6] according to said search criteria as claimed.

Referring to claim 13, Wason/Anderson teaches the method of claim 6, as above, wherein said searching step comprises searching for said text string via a browser application [Wason: See Figs. 1 & 11; Anderson: See Column 8, line 58 et seq.] as claimed.

Referring to claim 14, Wason/Anderson teaches the method of claim 6, as above, wherein said downloading step comprises saving said binary content to a file [Wason: Rich Text file / HTML file] and providing a hyperlink to said file [Wason: See Fig. 11] as claimed.

Referring to claim 15, Wason/Anderson teaches the method of claim 6, as above, wherein said downloading step comprises downloading said binary content to a computer [Wason: 1] which is remote [Wason: See Fig. 1] from said database [Wason: 4] as claimed.

Response to Arguments

8. Applicants' arguments filed 04 April 2005 regarding the Liaguno reference have been fully considered but they are not persuasive.

Referring to applicants' remarks on page 5 regarding the Liaguno reference: Applicants argued that Liaguno does not extract any data from the files, and as such, does not disclose or suggest at least the "converting said binary content into text content" step as recited by new independent claim 6.

The examiner disagrees for the following reasons: First, applicants argue subject matter that is not claimed. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "extracting" data from files) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claim recites, "converting said binary content into text content." Liaguno explicitly and directly teaches conversion of binary content into text content in the disclosure of Figure 2 and its corresponding portion of the specification.

9. The remainder of applicants' arguments with respect to claims 6-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2161

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 571-272-4020. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
03 June 2005


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